

REGINALD STEER
SARA G. NOEL
AKIN GUMP STRAUSS HAUSER & FELD LLP
580 California Street, Suite 1500
San Francisco, CA 94104

THEODORE ROETHKE
ASIAN LAW CAUCUS
55 Columbus Avenue
San Francisco, CA 94111

Attorneys for Plaintiff

TONY WEST
Assistant Attorney General
DAVID J. KLINE
Director, District Court Section
Office of Immigration Litigation
VICTOR M. LAWRENCE
Principal Assistant Director
SAMUEL P. GO, NYSBN 4234852
Trial Attorney

P.O. Box 868, Ben Franklin Station
Washington, D.C. 20044-0868
Telephone: (202) 353-9923; FAX: (202) 616-8962

Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JAY BAHADUR TAMANG,

Plaintiff,

v.

JANET NAPOLITANO, Secretary, Department of
Homeland Security; ERIC H. HOLDER, JR.,
Attorney General, United States Department of
Justice; ROBERT S. MUELLER, Director, Federal
Bureau of Investigation; MICHAEL AYTES,
Acting Deputy Director, United States Citizenship
and Immigration Services (USCIS); DAVID
ROARK, Director, Texas Service Center; and
ROSEMARY MELVILLE, District Director, San
Francisco Field Office, USCIS,

Defendants.

No. 3:09-cv-1490 (MEJ)

**STIPULATION OF
DISMISSAL; ~~PROPOSED~~
ORDER**

[Fed.R.Civ.P. 41(a)(1)(ii)]

1 Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, the parties stipulate to
2 the dismissal, with prejudice, of the entire action as moot, defendants having performed the
3 administrative duty to adjudicate plaintiff's application for adjustment of status, resulting in
4 favorable adjudication for plaintiff, no cause found for denial. Each party to bear its own costs
5 and fees, and no attorney's fees or costs under the Equal Access to Justice Act, or any other
6 provision of law, will be sought in the above-captioned matter.

7
8 Dated: July 27, 2009

Respectfully submitted,

9
10 TONY WEST
Assistant Attorney General

11 DAVID J. KLINE
Director, District Court Section
Office of Immigration Litigation

12
13 VICTOR M. LAWRENCE
Principal Assistant Director

14
15 /s/ Samuel P. Go
SAMUEL P. GO
Trial Attorney, District Court Section
Office of Immigration Litigation
U.S. Department of Justice, Civil Division

16
17 Attorneys for Defendants

18
19 Date: July 27, 2009

/s/ Sara G. Noel (with permission)
SARA G. NOEL

20
21 Attorney for Plaintiff

22 **ORDER**

23 IT IS SO ORDERED.

24 Date: July 27, 2009

25 
26 MARIA-ELISA JAMES
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Stipulation of Dismissal and [Proposed] Order was served via the district court's electronic filing system on this 27th day of July 2009 to the following counsel:

Reginald Steer
Sara G. Noel
AKIN GUMP STRAUSS HAUER & FELD LLP
580 California Street, Suite 1500
San Francisco, CA 94104

Theodore Roethke
ASIAN LAW CAUCUS
55 Columbus Avenue
San Francisco, CA 94111

/s/ Samuel P. Go
SAMUEL P. GO
U.S. DEPARTMENT OF JUSTICE